IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR
: PRESENT :
THE HON'BLE MR. DEVINDER GUPTA, THE CHIEF JUSTICE
AND
THE HON'BLE MR. JUSTICE : C.V. RAMULU.

W.P. No. 15644 of 2004

Between:

1. Vaikhanasa Pitham, Tirumala Tirupathi, rep. by its Secretary, Sri G. Prabhakara Charyulu, S/o. Dr. S.V.L. Narayana Chary, R/o. Tirumala, Tirupathi, Chittoor District.
2. E. Giri Yadav.

Petitioners

AND

1. Government of Andhra Pradesh, rep. by its Principal Secretary, Endowments Department, Secretariat, Saifabad, Hyderabad.
2. Tirumala Tirupathi Devasthanams, Tirumala, Tirupathi, rep. by Its Executive Officer.
3. H.H. Sri Sri Sri Tridandi Chinna Srimannarayana Ramanuja Jeeyar Swamiji, Sri Sri Chinna Jeeyar Asthanam, Sithanagaram, Guntur District – PIN 522 501.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not implementing the Master Plan 2002, which was approved, at the instance of the 3rd respondent as illegal, unjust and arbitrary and also in violation of the provisions of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 and contrary to the guarantees contained in Articles 14, 25 and 26 of the Constitution of India and consequently direct the respondents to scrupulously implement the Master Plan 2002 which was approved by the competent authorities without any interference by the 3rd respondent and further direct the official respondents to ignore any suggestions and plans contrary to the Master Plan.

The petition coming on for orders, upon perusing the petition and the affidavit filed herein and upon hearing the arguments of Mr. K.R. Prabhakar, Advocate for the Petitioners and of the Govt. Pleader for Endowments, for the respondent No. 1 and of Mr. Nooty Rama Mohan Rao, Advocate for the respondent No. 2 and of Mr. M.S. Ramachandra Rao, Advocate for the respondent No. 3, the Court made the following

ORDER:

" Learned counsel for respondent No. 3 states that counter affidavit is ready and that he will file the same and supply copies to the learned counsel for respective parties.

While the connected matters were adjourned to be taken up on 23-11-2004, learned counsel appearing for respondent No. 2 pointed out that third respondent has planned a car rally to be taken from Vijayawada to Tirupati on 06-11-2004. If respondent No. 3 undertakes car rally, it is likely to create some untoward incidents or it will aggravate and complicate the problem.

Contd..

If respondent No. 3 has taken a decision to organize a car rally, there is no manner of doubt that while the matter is pending decision, it will create problems and complicate and aggravate the matter further. The object of entertaining the writ petition is to find out an amicable solution to the problem being faced in view of the various suggestions put-forth by various sections of the society. At this stage, if respondent No. 3 takes a decision to organize a car rally, it would unnecessarily complicate the issue.

Learned counsel for respondent No. 3 states that the matter be taken up on 1-11-2004 so that he will apprise the situation to respondent No. 3 and would come back with some instructions.

We will also expect the parties that nothing is done either by paper publication or advertisements or any other modes which might unnecessarily further complicate the issue or create further problems. Otherwise, we will have no other option except to pass conditional order keeping restraint on such publication qua the issues which are subject matters of the writ petitions.

List on 01-11-2004 for direction. "

Sd/- T. RUKMINI DEVI

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Principal Secretary, Government of Andhra Pradesh,
   Endowments Department, Secretariat, Saifabad, Hyderabad.
2. The Executive Officer, Tirumala Tirupathi Devasthanams,
   Tirumala, Tirupathi, Chittoor District.
3. H.H. Sri Sri Sri Tridandi Chinna Srimannarayana Ramanuja
   Jeeyar Swamiji, Sri Sri Chinna Jeeyar Asthanam, Sithanagaram,
   Guntur District – PIN 522 501.
4. Two CCs to Govt. Pleader for Endowments, High Court of A.P.,
   Hyderabad. **(By Special Messenger)**
5. Mr. K.R. Prabhakar, Advocate, Advocates' Bar Association,
   High Court of A.P., Hyderabad. **(By Special Messenger)**
6. Mr. Nooty Rama Mohan Rao, Advocate, Advocates' Bar Association,
   High Court of A.P., Hyderabad. **(By Special Messenger)**
7. Mr. M.S. Ramachandra Rao, Advocate, Advocates' Bar Association,
   High Court of A.P., Hyderabad. **(By Special Messenger)**
8. Two spare copies.

USR.

HIGH COURT

DATED : 27-10-2004

Note : List on 01-11-2004 for direction

ORDER

W.P. No. 15644 of 2004

DIRECTION.

HIGH COURT

USR

DRAFTED ON : 28-10-2004

HCJ & CVRJ APPROVED ON :

DATED: 27-10-2004

Note : List on 01-11-2004 for direction

ORDER

W.P. No. 15644 OF 2004

DIRECTION.